VARIATION OF CONDITION

FOR

ERECTION OF THREE DETACHED DWELLINGS

SITE ADJ TO 34 SUNNY BANK ROAD

MELTHAM, HOLMFIRTH HD9 5LL

SEPTEMBER 2022

NORTHERN DESIGN PARTNERSHIP

THE CHAPEL MILLMOOR ROAD

MELTHAM, HOLMFIRTH HD9 5JU

1.0 - PLANNING HISTORY

1.01 - Planning Permission was granted in 2017 for 3 detached dwellings (2017/62/01891). The necessary conditions were discharged in 2020 (2020/91812), and buildings regulations application approved, drainage works carried out and inspected. Therefore the application has been implemented.

2.00 - VARIATION CONDITION

2.01 - This application is for a variation of condition No. 2 of the approval 2017/62/01891. Condition 2 states;

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

2.02 - The construction of the 3 dwellings requires a retaining wall close to Sunnybank Road. An AIP (Agreement in Principle) was submitted to Kirklees Highways due to the close relationship. However after 6 months this has not been determined and there appears no realistic and viable way forward, that will satisfy the AIP requirements.

2.03 - This has led to a re-think on the structural design of the properties and their location. Following consultation with a structural engineer it was determined that if the retaining wall was moved away from Sunnybank Road by circa 7.0m then an AIP would not be necessary and a conventional / viable engineered solution achievable.

2.04 - The submitted plans now show a varied design. The lower two floors (under the road level) have been reduced and set into the site. This has led to a reduced floor area, but one that is necessary. The houses have been moved further into the site by 750mm to once again assist with the retaining wall issue. This will ensure the health and safety concerns during construction will be eased, as will the useable area for storage and deliveries.

2.05 - During the consultation will Highways a question was raised in regard to the location of the footpath and the private driveways venturing into the public highway. This issue has also been addressed with the back of the footpath now in line with the boundary wall. This ensures the private driveways are all within the private boundary, and the new footpath solely in the highway.

2.06 - There have been some very minor modifications to the landscaping design as a consequence of the above. There have also been some minor changes to the house designs with some window modifications and balconies shown on the top floor. These will be screened from neighbouring properties, with privacy not compromised.

3.00 - CONCLUSION

3.01 - The application is to vary the location and design of the 3 houses. The amendments will ensure the site is viable and safe to develop.

3.02 - The variations will ensure the management of the construction will be more efficient, with deliveries and storage ensuring the road is maintained for access to the neighbouring properties.

3.03 - The amendments will also ensure a lengthy and problematic agreement with the highways department will not be necessary.

3.04 - Based on this information, we trust that Kirklees MC can support this application.